

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Applicants: Mitsuaki Oshima et al.

: Art Unit: 2134

Serial No.: 09/588,364

: Examiner: P. E.  
Callahan

Filed: November 17, 1995

For: MARK FORMING APPARATUS, METHOD OF  
FORMING LASER MARK ON OPTICAL DISK,  
REPRODUCING APPARATUS, OPTICAL DISK AND  
METHOD OF PRODUCING OPTICAL DISK

COPY

COMMUNICATIONAssistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

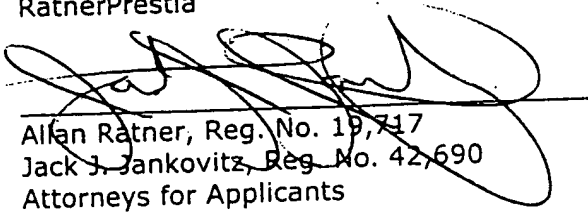
The undersigned surrendered to the Patent Office on November 22, 2002, an original Letters Patent No. 5,761,301. The original patent was given to Landon and Stark Associates who delivered it to Technology Center 2100.

Proof that the original patent was received in Technology Center 2100 on November 22, 2002 is shown in the attached copy of a postcard.

To the best knowledge of the undersigned, the original patent was delivered to the Technology Center 2100 on November 22, 2002. The Patent Office cannot find this original patent and the undersigned, therefore, believes that the original patent is now lost.

Respectfully Submitted,

RatnerPrestia

  
Allan Ratner, Reg. No. 19,717  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ/fp

Dated: December 20, 2002

Enclosure: Copy of postcard

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being hand delivered to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

December 20, 2002

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Date: December 20, 2002

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Please acknowledge receipt of the document(s) described below by imprinting the Patent and Trademark Office "date-stamp" hereon and returning this card to the addressee indicated on the reverse side.

FILE NO. MT/MTS: 580 US 1 FEE DUE? NO or YES: \$ -0-

NAME: M. Oshima et al.

- |   |   |
|---|---|
| <input type="checkbox"/> IDS and PTO Form 1449 (____ pp.)   | <input type="checkbox"/> Copy of Search Report                |
| <input type="checkbox"/> Copy of ____ reference(s)  | <input type="checkbox"/> Issued Claims (____ pp.) & Dispute   |
| <input type="checkbox"/> Status Request   | <input type="checkbox"/> Preliminary Amendment                |
| <input type="checkbox"/> Claim To Right of Priority   | <input type="checkbox"/> Amendment (____ pp.)                 |
| <input type="checkbox"/> Response to Restriction Requirement                                      | <input type="checkbox"/> Copy of Formalities Letter (____)    |
| <input type="checkbox"/> Response to Missing Parts  | <input type="checkbox"/> RCE Transmittal                      |
| <input type="checkbox"/> Form 1390 <input type="checkbox"/> Certificate of Express Mailing        | <input type="checkbox"/> Priority Document(s) (CERTIFIED)     |
| <input type="checkbox"/> Declaration/POA (____ pp.)   | <input type="checkbox"/> Petition for Ext. of Time (____ mo.) |
| <input type="checkbox"/> Assignment & Form 1595 (____ pp.)  | <input type="checkbox"/> Fee Transmittal                      |
| <input type="checkbox"/> Response to OA (____ pp.)  | <input type="checkbox"/> Issue Fee and Publication Fee        |
| <input type="checkbox"/> Petition to Make Special / For Revival                                   | <input type="checkbox"/> Sheets of Drawings (Formal)          |
| <input type="checkbox"/> Submission of Formal Drawings  | <input type="checkbox"/> -0- Check(s)                         |
| <input type="checkbox"/> Certificate of Correction <input type="checkbox"/> Form 1050 (Duplicate) |   |

☒ Communication  
enclosures

USSN: 09/588,364

Received  
DEC 20 2002  
Technology Center 2100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Oshima et al.

: Art Unit: 2132

Serial No.: 09/588,364

: Examiner: S. Kabakoff

Filed: June 2, 2000

FOR: MARK FORMING APPARATUS,  
METHOD OF FORMING LASER MARK ON  
OPTICAL DISK, REPRODUCING  
APPARATUS, OPTICAL DISK AND  
METHOD OF PRODUCING OPTICAL DISK

CERTIFICATE UNDER 37 CFR 3.73 (b)

Assistant Commissioner for Patents

Washington, D.C. 20231

S I R :

Matsushita Electric Industrial Co., Ltd., a Japanese Corporation certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 5,761,301, which issued from application number 08/560,015, filed on November 17, 1995 by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office at Reel 7884, Frame 0122, for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title from patent application 08/560,015 to U. S. Patent No. 5,761,301 and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : October 1, 2001

Name : H. Kitagawa

Title : General Manager IP Development Center  
Authorized Signing Officer

Signature : \_\_\_\_\_

CCPY

PTO/SB/31 (12-97)  
 Approved for use through 8/30/00. OMB 0851-0033  
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|   |  |                          |
|---|--|--------------------------|
| Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. |  | Docket Number (Optional) |
| SUBSTITUTE<br>REISSUE APPLICATION DECLARATION BY THE INVENTOR   |  | MTS-520US1               |

As a below named inventor, I hereby declare that  
 My residence, post office address and citizenship are stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first  
 and joint inventor (if plural names are listed below) of the subject matter which is described and claimed  
 In patent number 5,761,301, granted June 2, 1998, and for which a  
 reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER  
MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK  
 the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09 / 588,364  
 and was amended on \_\_\_\_\_  
 (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims,  
 as amended by any amendment referred to above.  
 I acknowledge the duty to disclose information which is material to patentability as defined in  
 37 CFR 1.56.  
 I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described  
 below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:  
 See Attachment:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/51 (12-97)

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

MTS-520US1

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Allan Ratner

19,717

Jacques L. Etkowicz

41,738

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

OR

Type Customer Number here

Place Customer Number  
Code Label here 23122

PATENT TRADEMARK OFFICE

☒ Firm or  
Individual Name

Ratner &amp; Prestia

Address

P.O. Box 980

Address

City

Valley Forge

State

PA

ZIP

19482

County

Telephone

610-407-0700

Fax

610-407-0701

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Mitsuaki Oshima

Inventor's signature

*Mitsuaki Oshima*

Residence

Kyoto, Japan

Date

November 12, 2002

Post Office Address 115-3, Minamitatsumi-cho, Katsura,  
Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan

Citizenship

Japanese

Full name of second joint inventor (given name, family name)

Yoshiho Gotoh

Inventor's signature

*Yoshiho Gotoh*

Date

November 13, 2002

Residence

Osaka, Japan

Citizenship

Japanese

Post Office Address

Room 201, 9-17, Higashinakahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address



Additional joint inventors are named on separately numbered sheets attached hereto.

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**Attachment to PTO/SB/51 (12-97)  
Reissue Application Declaration by the Inventor**

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on a track of the disk. In addition, the inventors did not claim any one of the features of trimming the reflective film of an optical disk to form a marking by a laser, where the marking is formed on a track of the disk. These errors were made without deceptive intent.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

**Prior Foreign Application(s)**

(Number)  
6-283415  
7-016153  
7-261247

(Country)  
Japan  
Japan  
Japan

(Day/Month/Year Filed)  
17/November/1994  
02/February/1995  
09/October/1995